IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE K.C. BHANU

-

WRIT PETITION NO : 3371 of 2005

Between:

R. Adi Lakshmi, D/o Nagulaiah,
SPW Polytechnics, TTDs, Tirupathi, R/o Tirupathi, Chittoor District.

... PETITIONER

AND

1. The Tirumala Tirupathi Devasthanams, Tirupathi, Chittoor District,
   Rep. by its Executive Officer.

2. The Principal, SPW Polytechnics, Tirumala Tirupathi Devasthanams,
   Tirupathi, Chittoor District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in discontinuing the petitioner from service without any notice or opportunity as arbitrary, discriminatory and contrary to Law and consequently direct the Respondents to absorb the petitioner in any post in any department in TTDs, as has been done in respect of similarly situated employees of Bakery Project of the 2nd respondent, in the light of the Judgment dated 10-7-2003 in W.P.No.5162 of 2001 and with all other consequential benefits monetary and otherwise.

Counsel for the Petitioner: MR. V. JAGAPATHI

Counsel for the Respondents: MR. T. HARINATH GUPTHA, SC for TTD.

The Court at the admission stage made the following:

ORDER:

This writ petition is filed seeking *mandamus* to declare the action of the respondents in discontinuing the petitioner from service without any notice or opportunity as arbitrary, discriminatory and contrary to law.

2. According to the petitioner, she was appointed as Helper in SPW Polytechnics, Tirupathi on 02-04-1994 and allowed to work in the Bakery Project, and thereafter, she was continued without any break in service upto 01-12-2000. The Tirumala Tirupathi Devasthanam Board passed a resolution dated 20-08-1992 to absorb all the persons working in the 2nd respondent Bakery Project in TTD service, and subsequently requested the Government to accord permission to implement the said resolution. The Government had sought information in this regard, but not taken any decision so far. In similar circumstances, this Court in W.P.No.5162 0f 2001 dated 10-07-2003 directed the respondents to consider the case of petitioner therein for absorption in any existing or available future vacancy in any post having regard to the length of service put in by the petitioner therein.

3. It appears that the petitioner's case is also similarly situated. It is also seen from the material papers filed along with the writ petition that the petitioner gave a representation on 17-01-2005 to the 1st respondent. In that view of the matter, the respondents have to consider the representation of the petitioner in accordance with the rules and regulations of TTD and take appropriate decision for absorbing the writ petitioner in any existing or available future vacancy.

4. Accordingly, the writ petition is disposed of directing the respondents to consider the case of the petitioner for absorption in any existing or available future vacancy and take appropriate decision in the matter in accordance with the rules and regulations of TTD, within a period of two months from the date of receipt of a copy of this order.

K. C. BHANU, J

Dt.24-02-2005

Glv

Copies to: -

1. The Executive Officer,
Tirumala Tirupathi Devasthanams,
Tirupathi, Chittoor District,
2. The Principal, SPW Polytechnics,
Tirumala Tirupathi Devasthanams,
Tirupathi, Chittoor District.

3. Two C.D. copies